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February 5, 2003

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TO: Commissioner for Patents

Attn: Leon Blaine Lankford Jr.
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231FROM: Janet E. EmbretsonOUR REF: 875.029US1TELEPHONE: (612) 373-6959FAX NUMBER (703) 308-4242

* Please deliver to Examiner Leon Blaine Lankford Jr. in Art Unit 1651. *

FORMAL RESPONSE (FINAL ACTION) - PLEASE ENTERDocuments Transmitted: Amendment and Response Under 37 CFR 1.116, including Clean Version of Pending Claims (9 pgs)Total pages of this transmission, including cover letter: 10 pgs

If you do NOT receive all of the pages described above, please telephone us at 612-373-6900, or fax us at 612-339-3061.

In re Patent Application of: Jackie R. Bickenbach et al.Examiner: Leon Blaine Lankford Jr.Serial No.: 09/820,198Group Art Unit: 1651Filed: March 28, 2001Docket No.: 875.029US1Title: METHODS TO PREPARE AND USE EPIDERMAL STEM CELLS

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By: Janet E. Embretson
Name: Janet E. Embretson
Reg. No.: Reg. No. 39,665

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Candis Buending
Candis BuendingFeb. 5, 2003

Date of Transmission

EXPEDITED PROCEDURE - EXAMINING GROUP 1651

S/N 09/820,198PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jackie R. Bickenbach et al. Examiner: Leon B. Lankford Jr.
Serial No.: 09/820,198 Group Art Unit: 1651
Filed: March 28, 2001 Docket: 875.029US1
Title: METHODS TO PREPARE AND USE EPIDERMAL STEM CELLS

AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116

Box AF
Commissioner for Patents
Washington, D.C. 20231

In response to the final Office Action mailed November 5, 2002, please amend the application as follows:

In the Claims

Please substitute the claim set in the appendix entitled "Clean Version of Pending Claims" for the previously pending claim set. Specific amendments to individual claims are detailed in the following marked-up set of claims.

Please amend the claims as follows:

1. (Amended) A method to prepare isolated mammalian epidermal stem cells, comprising:
 - (a) providing [separating in] a sample comprising [a population of] mammalian epidermal stem cells, which sample is contacted with an agent that binds DNA in viable cells and an agent that binds non-viable cells;
 - (b) separating the sample into a first population of cells that are the smallest 30% of the cells in the sample [comprising epidermal stem cells from at least one] and a second population of cells that are larger than the cells in the first population, wherein the first population comprises a substantially pure population of epidermal stem cells [does not comprise epidermal stem cells]; and
 - [(b)] (c) isolating a substantially pure population of epidermal stem cells from the first population of epidermal stem cells.